

MEMO ENDORSED

Edward Green 08-A-5510
Eastern Correctional Facility
P.O. Box 338
Napanoch, New York 12458-0338

January 6, 2015

Attn: Clerk of the Court
Hon. Richard Sullivan, U.S.D.J.
United States District Court
For the Southern District of New York
500 Pearl Street
New York, New York 10007

The request for an extension of time is granted; reply papers will be due May 8, 2015. The request to expand the record is denied without prejudice to its renewal.

Re: *Green v. State of New York*, 14-CV-2073-RJS-FM in a letter which

Hon. Sullivan:

Specifically identifies the additional exhibit Mr. Green wishes to docket. *flaw,*

I am writing at this time in request for a ninety-day extension of time to respond the Respondent's Answer with supporting memorandum of law. In addition, I am requesting to expand the record under Rule 7(a) of the Rules Governing Section 2254 Cases to include an exhibit from the state court record the respondents failed to supply the Court with. *USM, 1/13/15*

Assuming arguendo, the respondents claim, the petitioner's request should be denied because his are meritless, however, to assist the Court in the resolution of the claims presented, the proposed exhibit will substantiate the petitioner's claim of the issue being fairly presented to the state courts, and exhausted for review. *O'Sullivan v. Boerckel*, 526 U.S. 838, 848 (1999).

In addition, expansion of the record will assist the Court in resolution of the petitioner's claim to rebut the respondents contentions and to illustrate he did inform them of the constitutional nature of his claims when he relied on specific provisions of the Constitution, cited clearly established Supreme Court precedent, and relied upon state and federal cases employing the federal constitutional analysis in his request for relief during appellate and state post-conviction review of his claims (*Baldwin v. Reese*, 541 U.S. 27, 29-31 [2004]).

In sum, the petitioner hopes the requested relief will be granted because it is germane to the issue presented (*Williams v. Schiriro*, 423 F.Supp.2d 994, 1002-1003 [D. Ariz. 2006]).

Thank you.

Respectfully Submitted,

Edward Green

Edward Green
Petitioner pro-se

